



06-25-03

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Atty. Dkt. No. 071949-1314

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Kenneth F. Buechler  
**Title:** DIAGNOSTIC DEVICES AND  
APPARATUS FOR THE  
CONTROLLED MOVEMENT OF  
REAGENTS WITHOUT  
MEMBRANES

**Appl. No.:** 09/805,653

**Filing Date:** 03/13/2001

**Examiner:** Lyle Alexander

**Art Unit:** 1641

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EV003593838US	June 23, 2003
(Express Mail Label Number)	(Date of Deposit)
Germaine Sarda	
(Printed Name)	
	
(Signature)	

**RECEIVED**

JUN 30 2003

TECH CENTER 1600/2900

**AMENDMENT TRANSMITTAL**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established.

Also enclosed are:

[ X ] Exhibits (4);

[ X ] Return Postcard.

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TC 1700

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	40	27	13	x \$18.00	\$234.00
Independents:	2	3	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$0.00
CLAIMS FEE TOTAL:					\$234.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:					\$234.00
[ X ] Small Entity Fees Apply (subtract ½ of above):					\$117.00
TOTAL FEE:					\$117.00

[ X ] A check in the amount of \$117.00 is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date June 23, 2003

FOLEY & LARDNER  
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

Telephone: (858) 847-6722

Facsimile: (858) 792-6773

By

Barry S. Wilson

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Attorney for Applicant  
Registration No. 32,327

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kenneth F. Buechler

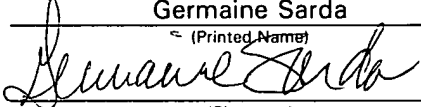
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**RESPONSE TO OFFICE ACTION**

TECH CENTER 1600/2900

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated March 21, 2003, concerning the above-referenced patent application.

The amendments presented below are in compliance with the revised amendment format permitted in the Notice from the Office of Patent Legal Administration of the U.S. Patent and Trademark Office dated February 10, 2003, and published at 1267 OG 106 on February 25, 2003. Thus, the provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments made in this application to the claims.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 8 of this document.

Please amend the application as follows: